

ASSEMBLY BILL

No. 662

Introduced by Assembly Member Dutra

February 19, 2003

An act relating to special education.

LEGISLATIVE COUNSEL'S DIGEST

AB 662, as introduced, Dutra. Special education: blind and visually impaired pupils.

Existing law requires educational agencies to develop an individualized education program for pupils with exceptional needs, including, but not limited to, visually impaired pupils, and requires that a functional vision assessment be conducted to determine the appropriate reading medium for the pupil and an assessment of braille skills. Existing law requires the Superintendent of Public Instruction to form an advisory task force to develop standards for mastery of the braille code by pupils and to report to the Governor and the Legislature by June 30, 2004. Existing law provides for the adoption and selection of quality instructional materials for use in elementary and secondary schools, and imposes requirements upon publishers and manufacturers, including, but not limited to, the requirement that they provide to the state, at no cost, computer files or other electronic versions of each state-adopted literary title and the right to transcribe, reproduce, modify, and distribute the material in braille, large print, recordings, or other specialized accessible media for use by pupils with visual disabilities.

This bill would make legislative findings and declarations concerning the ability of blind and visually impaired pupils to have the same opportunity as any other pupil to acquire the highest quality

education possible and the various educational related problems that adversely impact the ability of these pupils to receive the highest quality education. The bill would declare the intent of the Legislature to address those problems.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known and may be cited as the
2 Blind and Visually Impaired Pupil Education Improvement Act of
3 2003.

4 SEC. 2. The Legislature finds and declares all of the
5 following:

6 (a) A blind or visually impaired pupil should have the same
7 opportunity as any other pupil to acquire the highest quality
8 education possible.

9 (b) There are a number of problems specific to the educational
10 needs of blind and visually impaired pupils that adversely impact
11 the ability of these pupils to receive the highest quality education.
12 Many of these problems, along with solutions, were identified in
13 a 2002 report by the California Blindness Advisory Task Force,
14 appointed by the Superintendent of Public Instruction, entitled “A
15 Future View: Quality Education Of All Students Who Are Blind
16 and Visually Impaired.” These problems include, but are not
17 limited to, all of the following:

18 (1) Teachers of the blind and visually impaired have
19 extraordinarily high caseloads, far in excess of guidelines
20 promulgated by the State Department of Education.

21 (2) There exists a shortage of teachers of the blind and visually
22 impaired, as well as a shortage of postsecondary programs that
23 provide specific training in this field.

24 (3) School district personnel, including administrators and
25 classroom teachers, lack the knowledge to adequately address the
26 needs of their blind and visually impaired pupil population,
27 especially those with multiple disabilities.

28 (4) Many school districts, in both urban and rural areas, are not
29 providing braille instruction to many pupils whose visual acuity is
30 such that braille is clearly their most appropriate mode of reading,



1 thus causing many of these pupils, who should be performing at
2 grade level or above, to lag far behind their sighted counterparts.

3 (5) Many blind and visually impaired pupils lack access equal
4 to that of fully sighted pupils to technology, notwithstanding the
5 availability of assistive devices that can equalize this access.

6 (6) Testing materials required for use throughout the state are
7 often either unavailable, or not available in a timely manner, in
8 formats accessible to blind and visually impaired pupils.

9 (7) Transition programs are woefully inadequate in their
10 capacity to meet the special needs of blind and visually impaired
11 pupils.

12 (8) The State Department of Education has little data on the
13 blind and visually impaired pupil population in each school
14 district.

15 (9) An ongoing mechanism does not exist for the Legislature,
16 the Governor, and the State Department of Education to procure
17 stakeholder input on the needs of blind and visually impaired
18 pupils and the statutory or regulatory changes required to meet
19 those needs.

20 (c) It is the intent of the Legislature, in enacting this act, to
21 address the problems set forth in subdivision (b).

